

*IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION AT GREENEVILLE*

IN RE:

**LAKEWAY PUBLISHERS INC.**

Case No. 2:19-bk-51163-MPP  
Chapter 11

Debtor.

**AMENDED MOTION TO SELL PERSONAL PROPERTY OF THE DEBTOR IN  
POSSESSION**

**NOTICE OF HEARING**

Notice is hereby given that:

A hearing will be held on the Motion to Sell on July 30, at 9:00am, in the Bankruptcy Courtroom, Second Floor, James H. Quillen U.S. Courthouse located at 220 West Depot Street, Greeneville, TN..

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you wish to have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend this hearing, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Lakeway Publishers, Inc. hereby moves the Court for authority to sell the personal property of the debtor known as identified on the attached Exhibit A free and clear of liens with liens attaching to the proceeds of sale. This sale is made by the Debtor in Possession pursuant to 11 U.S.C. §363(b), 11 U.S.C. § 1107, Fed. R. Bankr. P.2002, 6004, and E.D. Tenn. LBR 6004-1(a) and (b). The sale of the asset will be free and clear of any and all lien rights of creditors of the debtor with any such lien rights attaching to the proceeds of the sale. When the motion was originally filed, The Debtor in Possession was aware of only one consensual lien held by Pinnacle

Bank for \$3,489,564. After the motion was filed, BB&T Commercial Capital Corp. (hereinafter "BB&T") filed a claim in the amount of \$7,410.06 [Claim 17]. BB&T's Claim asserts that it is secured as the first lien holder against the HP Latex 360 – Printer Model Product 3 B4H70A, 64" and Graph Tec Cutting Plotter(54"), Model FC8600-130. The Debtor in possession does not dispute the validity of the claim.

The items to be sold by the Debtor in Possession are excess printers and equipment. The Debtor in Possession has received an offer of \$11,500.00 from Mack Warr to purchase the items listed in Exhibit A. The Debtor in Possession believes that the assets are worth approximately \$11,000.00. No sales fees or auctioneer fees will be paid. Debtor intends to use the proceeds of the sale for continued business operations, minus \$6,048.05 that it intends to pay BB&T with respect to their secured interest.

The claim bar date has not passed.

Respectfully submitted,

LAKEWAY PUBLISHERS, INC.

/s/ Ryan E. Jarrard

Ryan E. Jarrard, Esquire

BPR No. 024525

Attorney for Trustee

**QUIST FITZPATRICK & JARRARD, PLLC**

2121 First Tennessee Plaza

Knoxville, TN 37929-2121

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#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Amended Motion to Sell, exhibit and proposed Order have been served upon the indicated parties by placing a copy thereof in the U.S. Mail, first class postage prepaid, via email or ECF this July 24, 2019:

Tiffany Dilorio VIA US Mail  
800 Market Street, Suite 114  
Howard J. Baker Jr. US Courthouse  
Knoxville, TN 37902

Pinnacle Bank  
C/O Walt Winchester  
Suite 1000, First Tennessee Plaza  
800 South Gay Street  
Knoxville, TN 37929  
VIA US MAIL & ECF

BB&T  
Barbara L. Farely  
13 Wilkins Ave,  
Haddonfield, NJ 08033  
VIA US MAIL & ECF

All Parties in Interest on the attached index via US Mail

/s/ Ryan E. Jarrard  
ATTORNEY